

REMARKS/ARGUMENTS

In response to the Office Action mailed May 20, 2003, Applicants amend their application and request reconsideration in view of the amendments and the following remarks. In this amendment Claims 1 and 52 are amended, Claims 9, 11, 14 and 18-51 were cancelled without prejudice and no claims have been added so that Claims 1-8, 10, 12, 13, 15-17 and 52 are currently pending. No new matter has been introduced.

Claims 1-8, 10-11, 13, 15-17 and 52 were rejected as anticipated by U.S. Patent No. 6,284,305 to Ding et al. (Ding) and Claim 12 was rejected as being unpatentable over Ding. These rejections are respectfully traversed.

Ding generally discloses coatings (polymeric) on therapeutic expandable stents. The coating included an undercoat of polymeric material containing an amount of biologically active material. The coating further includes a topcoat which covers less than the entire surface of the undercoat and wherein the topcoat comprises a polymeric material substantially free of pores.

The present invention, as claimed in amended independent Claim 1, is directed to a local drug delivery device which comprises a medical device for implantation into a treatment site of a living organism, a first layer including at least one agent in therapeutic dosages incorporated in a polymeric matrix and affixed to the medical device for the treatment of reaction by the living organism caused by the medical device or the implantation thereof, and a second layer including a lubricious material for preventing the at least one agent from separating from the medical device prior to implantation. The lubricious material is affixed to at least one of the medical device or a delivery system for the medical device. The present invention, as claimed in amended independent claim 52, is directed to a local drug delivery apparatus which comprises a medical device for implantation into a treatment site of a living organism, a first layer including at least one

agent in therapeutic dosages incorporated in a polymeric matrix and affixed to the medical device for the treatment of reactions by the living organism caused by the medical device or the implantation thereof, and a second layer including a water soluble powder for preventing the at least one agent from separating from the medical device prior to implantation of the medical device at the treatment site. The water soluble material being affixed to at least one of the medical device or a delivery system for the medical device.

Ding fails to disclose or even suggest a separate lubricious coating or a separate water soluble powder for preventing removal of the therapeutic agent. Accordingly, reconsideration and withdrawal of the rejections are respectfully requested.

Applicants would like to thank the Examiner for taking the time to conduct a personal interview.

A favorable action on the merits is earnestly solicited.

Respectfully submitted,



Carl J. Evens
Reg. No.: 33,874
Attorney for Applicant

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(732) 524-2518